S.B. Criminal Misc. Bail Application No.4375/2006
Date : 19.10.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. Suresh Kumbhat for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor and carefully gone through the impugned order.

Learned counsel for the applicant submits that it is a case where the applicant absconded during the course of trial, therefore, the trial was delayed and his bail bonds were cancelled and since last one month the applicant is in judicial custody and now the statements of material witnesses have been examined, who do not involve the applicant in this case. In last, he prays that accused applicant may be enlarged on bail.

On the other hand, learned counsel for Union of India has opposed the bail application.

I have considered the submissions made before me.

Taking into consideration the overall facts and circumstances of the present case and in the interest of justice, I deem it proper to grant applicant one more opportunity to remain on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that applicant Premnath S/o Pishorilal Azad shall be released on bail in Regular Case No.399/1997, provided he executes a personal bond in the sum of Rs.1,00,000/- with two sound and solvent sureties in the sum of Rs.50,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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